

per ad

(16)

7-11-01

Sc

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RE:

Kimberly M. Davis v. :
Donetta M. D'Innocenzo, et al. : Civil Action No. 1:CV-99-1428

Konstantin Profatilo, et al. v. :
Hershey Medical Center, et al. : Civil Action No. 1:CV-00-0633

Fred B. Hooper, D.O. v. :
Paul Revere Life Insur., et al. : Civil Action No. 1:CV-00-0729

Wendy L. Mannion, et al. v. :
City of Lebanon, et al. : Civil Action No. 1:CV-00-1206

**PA Protection & Advocacy v. :
PA Dept. Public Welfare, et al : Civil Action No. 1:CV-00-1582

** Non Jury Trial

FILED
HARRISBURG, PA

JUL 10 2001

O R D E R

MARY E. D'ANDREA, CLERK
PER *[Signature]* **DEPUTY CLERK**

I. The above-captioned civil cases have been placed on the November 2001 trial list for trial in Harrisburg, Pennsylvania.

II. Juries in all cases will be drawn in Court Room No. 1, Ninth Floor, Federal Building, Harrisburg, Pennsylvania, beginning at 9:30 a.m. on Monday, November 19, 2001. Pending criminal trials, if any, will be tried first. Civil jury trials will begin immediately following jury selection in the order of the docket numbers (assuming no criminal trials), with the earliest docket number going first and continuing to the most recent docket number. Non-jury matters will be tried last.

Counsel should be aware that settlements, etc., will often reduce the actual number of cases for trial as the date approaches.

III. All pre-trial conferences will be held as follows on Thursday, November 15, 2001, in my chambers, Ninth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania:

9:00 a.m.	No. 1:CV-99-1428
9:30 a.m.	No. 1:CV-00-0633
10:00 a.m.	No. 1:CV-00-0729
10:30 a.m.	No. 1:CV-00-1206
11:00 a.m.	No. 1:CV-00-1582

Lead counsel for each party shall attend the conference and have full authority to effectuate a complete settlement pursuant to Local Rule LR 16.2.

IV. Counsel who will try the case are directed to confer with all other trial counsel in the case at least five (5) days prior to the date of the pre-trial conference. Local Rule LR 16.3. Subsequent to this meeting of counsel and at least two (2) days prior to the pre-trial conference, counsel shall submit a pre-trial memorandum in the form set forth in Appendix C of our Local Rules. Local Rule LR 16.6.

V. At the conference of counsel, pursuant to Local Rule LR 16.3, all exhibits that any party intends to introduce at trial (whether in his case in chief or in rebuttal) shall be identified and numbered on the attached form. Only exhibits so listed may be


offered in evidence at the trial, absent compelling reasons to the contrary. Local Rule LR 16.3.

VI. Trial briefs shall be submitted prior to trial and shall conform to Local Rule LR 39.7. Motions in limine, if any, shall be filed at least ten (10) days prior to jury selection, and any response shall be filed three (3) days before jury selection. All requests for jury instructions shall be submitted before trial commences and shall conform to Local Rule LR 51.1. Requests for juror voir dire shall be submitted at least three days prior to jury selection, limited to eight in number.

VII. Whenever any civil action scheduled for jury trial is settled or otherwise disposed of in advance of the actual trial, jurors' costs, including mileage and per diem, may be assessed against the parties as directed by the court, unless the Clerk's office at the place in which jury selection is to be held is notified of the settlement in sufficient time to permit the Clerk to advise the jurors that their attendance will not be necessary. Notice to the Clerk's office before 2:00 p.m. on the last business day preceding the day on which the jury is to be selected shall be adequate for this purpose.

VIII. Failure of counsel to abide by this order or our Local Rule LR 16 may result in imposition of the sanctions listed in Local Rule LR 83.3.

IX. The objective of this order is to provide all parties with timely resolution of their claims and to facilitate as effectively as possible an appropriate disposition of the issues at trial. The cooperation of counsel is essential to this purpose.



William W. Caldwell
United States District Judge

Date: July 10, 2001

CASE NUMBER:

[illegible]

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

July 10, 2001

Re: 1:00-cv-00633 Profatilo v. Milton S. Hershey Me

True and correct copies of the attached were mailed by the clerk
to the following:

Lewis H. Markowitz, Esq.
2 W. Market St.
P.O. Box 152
York, PA 17405-0152

Daniel F. Wolfson, Esq.
Wolfson & Kahan
267 East Market St.
York, PA 17403-2000

Randall G. Gale, Esq.
Thomas, Thomas & Hafer
305 N. Front St.
P.O. Box 999
Harrisburg, PA 17108

cc:		
Judge	()	() Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	()	

Other _____ ()

MARY E. D'ANDREA, Clerk

DATE: 7/10/01

BY: JS
Deputy Clerk